

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Josiah Brown, Warren E. Jaworowicz and Gregory C. Troiano  
Application No.: 10/762,220 Group: 1732  
Filed: January 21, 2004 Examiner: Not yet assigned  
Confirmation No.: 2188  
For: METHOD OF PREPARING SUSTAINED RELEASE MICROPARTICLES

<b>CERTIFICATE OF MAILING OR TRANSMISSION</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
8/15/04	Jennifer Warner
Date	Signature
Jennifer Warner	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Notice to File Missing Parts dated July 12, 2004, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

☒ **EXECUTED DECLARATION FOR PATENT APPLICATION**  
(Separate transmittal letter and postcard not required)

☐ **POWER OF ATTORNEY DOCUMENT**  
☐ Granted by Inventor(s)  
☐ Granted by Assignee, including Statement under 37 C.F.R. 3.73(b)  
(Separate transmittal letter and postcard not required)

☐ **PRELIMINARY AMENDMENT**  
(Separate transmittal letter and postcard not required)

☒ **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate  
Fee calculations based on:  
☒ Claims as originally filed  
☐ The Notice to File Missing Parts states an erroneous number of claims.  
☐ Claims upon entry of the Preliminary Amendment filed [herewith] [with the application]  
(Separate transmittal letter and postcard not required)

☒ **SURCHARGE** - surcharge fee of \$130.00  
(Separate transmittal letter and postcard not required)

☐ **SEQUENCE LISTING** - Filed concurrently and is attached

*(Separate transmittal letter and postcard required)*

☐ **REPLACEMENT DRAWINGS** - ☐ sheets of replacement drawings consisting of Figs. 1 - ☐ are enclosed *(Separate transmittal letter and postcard not required)*

☐ A Petition to Accept Color Drawings/Photographs (Fig(s). ☐)) and a Transmittal of Replacement Drawings, with attachments, are enclosed.

*(Separate check for fees and postcard required)*

☐ **PETITION FOR EXTENSION OF TIME**

☐ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated ☐ for ☐ month(s) from ☐ to ☐ The appropriate fee of \$☐ is included in the enclosed check

☐ A ☐ month extension of time to respond to the Notice to File Missing Parts dated ☐ was filed on ☐ with payment of a \$☐ fee

☐ Applicant hereby petitions for an additional ☐ month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$☐ is included in the enclosed check

*(Separate Petition for Extension of Time and postcard not required)*

☒ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached

*(Separate transmittal letter and postcard required)*

☐ **STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on ☐

☐ Is enclosed herewith


*(Separate transmittal letter and postcard not required)*

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$☐ which were paid on ☐ to be deposited in Deposit Account No. 08-0380

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$1,684.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

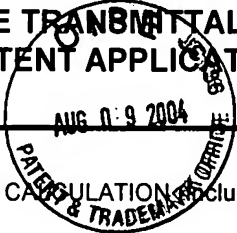
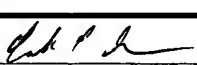
By 

Colin C. Durham  
Registration No.: 52,843  
Tel.: (978) 341-0036  
Fax: (978) 341-0136

Concord, Massachusetts 01742-9133

Date: 8/5/2004

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

<b>FEE TRANSMITTAL FOR PATENT APPLICATIONS</b>  		Attorney Docket Number	1733.2012-001		
		Application Number	10/762,220		
		First Named Inventor	Josiah Brown		
CLAIM CALCULATION (includes any preliminary amendment)					
CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	54 - 20* =	34	x \$ 18 =	\$ 612
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	5 - 3** =	2	x \$ 86 =	\$ 172
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 290 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 770
				Total of above Calculations =	\$ 1554
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =				\$
	TOTAL =				\$ 1554
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =				\$ 130
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =				\$
	Assignment Recordation Fee = (only when filed with application)				\$
	[Other]				\$
	TOTAL =				\$ 1684
<p>1. Small entity status:</p> <p>a. <input type="checkbox"/> A small entity statement is enclosed.</p> <p>b. <input type="checkbox"/> A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.</p> <p>c. <input type="checkbox"/> Is no longer claimed.</p> <p>2. <input checked="" type="checkbox"/> A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.</p> <p>3. <input checked="" type="checkbox"/> A check is enclosed for \$1,684.00. <input type="checkbox"/> Please charge \$[ ] to Deposit Account No. 08-0380.</p> <p>4. <input type="checkbox"/> Other: _____</p>					
Signature				Date	8/5/2004
Submitted by Typed or Printed Name		Colin C. Durham		Reg. Number	52,843

DOCKETED



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/762,220	01/21/2004	Josiah Brown	1733.2012-001

AUG 09 2004

CONFIRMATION NO. 2188

21005  
 HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
 530 VIRGINIA ROAD  
 P.O. BOX 9133  
 CONCORD, MA 01742-9133

## FORMALITIES LETTER



\*OC000000013199865\*

Date Mailed: 07/12/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/10/2004 DTESSEM1 00000032 10762220

01 FC:1001 770.00 OP  
 02 FC:1202 612.00 OP  
 03 FC:1201 172.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$784 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

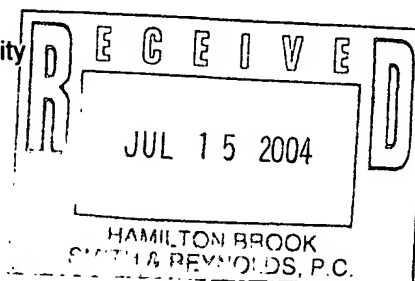
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1684 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

08/10/2004 DTESSEM1 00000032 10762220

04 FC:1051 130.00 OP



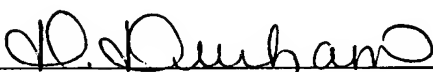
- Total additional claim fee(s) for this application is **\$784**

- **\$172** for **2** independent claims over 3.
- **\$612** for **34** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
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P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE